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COMMITTEE ON EDUCATION AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING
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February 17, 2006

The Honorable Michael Leavitt
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Leavitt:

The Individuals with Disabilities Education Act of 1975 (IDEA) has long been heralded as a critical civil rights law ensuring that students with disabilities are provided a "free appropriate public education." While many in Congress are working to ensure that the federal government meets its funding responsibility required under the law, we are deeply concerned that proposed Administration actions could undermine this effort.

The Fiscal Year 2007 budget request for the U.S. Department of Health and Human Services includes a reference to the prohibition of Medicaid reimbursement for school-based administration or transportation costs. It is our understanding that this provision refers to costs related to certain services provided to students with disabilities under IDEA that are paid for by Medicaid. We are writing to request that you provide us with a detailed explanation and justification for this request, along with the proposed legislation and/or regulations under which you intend to implement this change.

As you may know, close to seven million children currently receive education and related services under IDEA. The services provided by school districts range from assistive technology for students with hearing disabilities to personal aides for students with several developmental and physical disabilities. These services are determined, based on a student's individual needs, to be necessary for the "appropriate" education of that student. Since 1988, Medicaid has provided critical funding for direct medical and health related services, the administrative costs associated with identifying eligible students, arranging and delivering the services, and transportation to and from service providers. Based on estimates from the Congressional Research Service, the elimination of Medicaid funding for these administrative and transportation costs could total \$3.6 billion over five years. This loss of critical Medicaid

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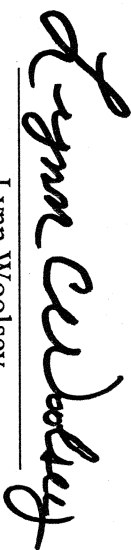
funding for students with disabilities on top of a reduction in the federal commitment to IDEA proposed by President Bush could have a drastic impact on students with disabilities' access to education, undermining the very purpose of this integral civil rights law.

Thank you for your consideration of the above request. If you have any questions about this request, please do not hesitate to contact us.

Sincerely,



George Miller
Senior Democrat
Education and the Workforce Committee



Lynn Woolsey
Senior Democrat
Subcommittee on Education Reform